

UNITED STATES DISTRICT COURT
FPR THE DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

CHRISTINE BAUER-RAMAZANI
and CAROLYN B. DUFFY, on behalf
of themselves and all others similarly situated,

2013 DEC 30 AM 11:52

Plaintiffs,

lw CLERK
BY *lw* DEPUTY CLERK

v.

Case No. 1:09-CV-190

TEACHERS INSURANCE AND ANNUITY
ASSOCIATION OF AMERICA-COLLEGE
RETIREMENT AND EQUITIES FUND,
COLLEGE RETIREMENT AND EQUITIES
FUND, TIAA-CREF INVESTMENT
MANAGEMENT, LLC, TEACHER
ADVISORS, INC., TIAA-CREF
INDIVIDUAL & INSTITUTIONAL
SERVICES, LLC, and TEACHERS'
INSURANCE AND ANNUITY
ASSOCIATION OF AMERICA,

Defendants.

EVALUATOR'S REPORT

William R. Jentes, the Early Neutral Evaluator, reports pursuant to Local Rule 16.1(j) on the second ENE session in this matter as follows:

1. The ENE session took place on December 16 and 17, 2013, commencing at noon and concluding at 9:00 pm on December 16, and recommencing from 8:00 am through 10:45 am on December 17.
2. The following persons attended, with the roles and responsibilities indicated:
 - a. For Plaintiffs – Robert Hemley, Harley Tropin and Tucker Ronzetti, counsel for plaintiffs and the class, with settlement authority
 - b. For Defendants – Jonathan Feigelson, TIAA-CREF General Counsel, with settlement authority, and Potter Stewart, Steve Brody, Shannon Barrett and Mary Pat Brown, counsel for Defendants.
3. No substitute arrangements were made regarding attendance.
4. No formal ENE reports were received because the considerable written and telephonic communications between the Evaluator and counsel supplied all required information for the session.
5. Each party made a number of oral presentations through counsel and Defendants' representative.
6. Settlement was reached for a complete disposition of the case, subject to approval by the Court.

Dated: Chicago, Illinois
December 24, 2013

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